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January 6, 2015

VIA ECF

Hon. Tonianne J. Bongiovanni, U.S.M.J.
Clarkson S. Fisher Building & U.S. Courthouse
402 East State Street, Room 7E
Trenton, New Jersey 08608

**RE: *Clancy v. Allstate Insurance Company*
United States District Court for the District of New Jersey
Civil Ac. No. 3:14-cv-00663-AET-TJB**

Dear Judge Bongiovanni,

We write to request that the above referenced matter be excused from mediation on Thursday and to request that, instead, we schedule a status conference with Your Honor. It is defendant's position that mediation at this stage of discovery would be fruitless. Plaintiffs have not formally identified their experts or provided dates of availability to depose them. As such, Allstate has not been afforded the opportunity to evaluate the extent of Plaintiff's claim, determine the necessity of any re-inspection of the property, or reach any conclusion as to whether further payment is due for additional damages covered under Plaintiffs' SFIP. Therefore, without having been permitted to complete sufficient discovery, Allstate is not in a position to meaningfully participate in this mediation. Defendant's counsel made an effort to confer with plaintiffs' counsel, but we were not successful.

We would be glad to schedule a conference call at Your Honor's convenience.

Respectfully Submitted,

CARROLL MCNULTY & KULL LLC

/s/ Katherine Lyons

Katherine Lyons

KL/kh

Enclosures

cc: Robert Trautmann, Esq. (*via email only*)
Daniel G. Giaquinto (*via email only*)
Robert W. Tschirn, Esq. (*via email only*)